



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DOT-E 868
(SEVENTH REVISION)

JUL 18 2001

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense
Alexandria, VA
2. PURPOSE AND LIMITATION: This exemption authorizes exceptions to requirements for carrier inspection of the method of manufacture, inspection of the packaging, inspection of the vehicle, etc., for the transportation in commerce of certain Division 1.1 through 1.3 explosives, subject to the limitations and special requirements herein, and provides no relief from any regulation other than as specifically stated.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.3(a), § 173.7(a), § 174.9, § 174.104(f) and § 177.801.
5. BASIS: This exemption is based on the application of the U.S. Department of Defense dated January 27, 2000 submitted in accordance with § 107.109 and supplement information dated February 14, 2000 and July 12, 2001.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Division 1.1 through 1.3 Military ammunition and explosives subject to security considerations	1.1, 1.2 and 1.3	as appro- priate	as appro- priate

7. SAFETY CONTROL MEASURES:

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- a. Explosives must be packaged in DOT specification containers (until September 30, 1996); UN packages, or containers of equal or greater strength and efficiency as required by DOD regulations.
- b. Explosives must be loaded, blocked and braced by the DOD shipper.
- c. Execution of car certificate No. 2 by the rail carrier or his representative is not required. In lieu thereof, the DOD shipper must write or stamp on the car certificate "FINAL INSPECTION MADE UNDER DOT-E 868".
- d. If breakage of seals is deemed necessary for any reason, the carrier must follow the instructions furnished by the consignor at the time of shipment.

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or change are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.
- b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight. Trailer-on-Flat-Car service is not authorized.

10. MODAL REQUIREMENTS:

A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption. For shipments by rail, a current copy of this exemption must accompany the shipping papers.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

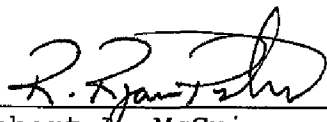
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee" as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590, Attention: Records Center, 202-366-5046.

PO: sln